REMARKS

Comments from Client

Applicants thank the Examiner for total consideration given the present reissue application. Claims 1-35 are currently pending. Applicants appreciate that claims 1-24, 31, 32, and 35 are allowed. Applicants further appreciate that claims 27 and 28 are indicated to define allowable subject matter.

Claim 35 has been amended through this Reply to correct an informal issue raised by the Examiner.

Applicants respectfully request reconsideration of the rejected claims 25-30, 33, and 34 in light of the remarks presented herein, and earnestly seek timely allowance of all pending claims.

35 U.S.C. § 102 REJECTION – Campana

Claims 25, 26, 29, 30, 33, and 34 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Campana, Jr. (U.S. Patent No. 5,446,759)[hereinafter "Campana"]. Applicants respectfully traverse this rejection.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. *See M.P.E.P. 2131; M.P.E.P. 706.02.* Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, Campana fails to teach or suggest each and every claimed element. For example, independent claim 25 recites, *inter alia*, "a frame assembling part for ***generating a frame data by combining a facsimile signal output from said facsimile terminal and a redundancy facsimile signal output*** from said facsimile terminal ***before*** said facsimile signal, and for ***outputting the frame data onto a transmission line***." *Emphasis added.*

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It is respectfully submitted that Campana fails to teach or suggest the above-identified feature of claims 25 and 33.

In FIG. 34, Campana discloses a configuration of a two-way data transmitting system 600 which includes, among other features, a wireless fax transmitting device 618, a plurality of base stations 612, a fax signal transmitting and receiving antenna 620, a wireless carrier 616, and a protocol encoder/decoder network switch 602. The protocol encoder/decoder network switch 602 is connected to the base stations 612. Each base station 612 has an antenna 614 which functions both as a transmitting and receiving antenna. Carrier 616 is provided to the base stations which may be modulated with an analog or digital subcarrier. Two-way radio communications are broadcast on the carrier 616 between the base stations 612 and the wireless data transmitting device 618. (*Col. 96, lines 26-52.*)

FIG. 17 of Campana illustrates a forward first message memory utilized for storing the information to be transmitted in groups of 4-bit nibbles which constitute a first encoded information stream which modulates the subcarrier to produce a first parallel information stream. In FIG. 18, Campana illustrates a back second message memory for storing the information to be transmitted in groups of 4 bit nibbles which constitute a second encoded information stream which modulates the subcarrier to produce a second parallel information stream in accordance with a preferred embodiment of the present invention. FIG. 19 of Campana illustrates an intermediate message memory for storing the first and the second encoded message streams of FIGS. 17 and 18 which are read out in parallel to modulate the subcarrier to produce the first and second parallel information streams and FIG. 20 illustrates the message memory which stores the first and second encoded information streams which modulate the subcarrier as in FIG. 19 with the information broken down into character message units which each are a 4-bit nibble.

In FIG. 30, Campana illustrates a portion of a digital signal processor's U3' software that performs decoding of the data from the receiving circuitry discriminator, and the decoding of the error correction code such as the 32/14 BCH error correction code to convert the data into

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nibbles or ASCII characters of the forward first and backward second parallel information streams.

The Examiner relies on the "BCH error correction code" as disclosing "a redundancy facsimile signal output from said facsimile terminal before said facsimile signal" as recited in claims 25 and 33. It is respectfully submitted that the Examiner's interpretation of the "BCH error correction code" is totally erroneous. The "redundancy facsimile signal" itself is a data signal, while a general error correction code is utilized for detecting and correcting some errors which occur in a data signal whereby adding the error correction code to the data signal.

Additionally, the Examiner relies on the digital signal processor's U3' (shown in FIG. 30) and col. 4, lines 37-43 and 48-53 of Campana as disclosing the frame assembling part or step for "*generating a frame data by combining a facsimile signal output from said facsimile terminal and a redundancy facsimile signal output* from said facsimile terminal *before* said facsimile signal*." It is respectfully submitted that the Examiner's interpretation of the relied upon section of Campana is totally erroneous. Campana discloses in col. 4, lines 37-53 as follows:

> The first problem is that due to each page being seven digits in duration, only an average of 3.5 pages can be sent per frame group. It should also be noted that a seven digit numeric page destined for the eighth frame group necessitates that a SYNC signal be sent. The *message then spills over to the first frame of the next frame set*. An "overhead" problem that also becomes obvious is that the receivers must be resynchronized after the transmission of the first eight frames. This resynchronization adds to the length of each message sent within the eight frame group. SYNC is 62.5 MS divided by 31/2 pages to apportion overhead. One hundred sixty seven milliseconds of the 267 MS period produces a 62.5% efficiency. *Due to the spilling over of messages into their adjacent frames, it is seen that a second problem is precipitated*. Assuming that each of the pages arrive in frame group order (e.g. 1234567, 1234567), it is seen that even if the paging terminal can sort to get the maximum 3.5 message per frame group efficiency, that a number of pages destined for the first frame tend to build or stack up.

Upon careful review of the above-identified section, Applicants find no teaching of "*combining the facsimile signal and the redundancy facsimile signal*" as recited in claims 25 and 33. The above-identified section merely points to some defects of the conventional arts (e.g., "The message then spills over to the first frame of the next frame set...").

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Moreover, the Examiner alleges that Campana discloses "the redundancy transmission of data in adjacent frames of data transmitted by a terminal such as the fax terminal…" (*The Office Action, pages 2-3*.) However, after reviewing the corresponding description of Fig. 30, columns 92-93, Applicants find no teaching of the above-mentioned matter. For example, in column 92, lines 59-64, Campana describes "The digital signal processor U3' first decodes and continues to decode the error correction bit stream from each frame comprised of the 32/14 BCH format or other error correction at block 300 and moves it in a RAM buffer area." Thus, the flowchart of Fig. 30 appears to illustrate that the DSP U3' checks and empty area (1/2) of the RAM buffer U4', and selects where the data stored according to the existence/types of errors (blocks 308, 310 and 312). In addition, from the specification of the instant application, it is clear that the "redundancy facsimile signal" described in claims 25 and 33 is not always restricted to the facsimile signal adjacent to (just before) the current facsimile signal, but means the previous facsimile signal transmitted at any time before the current facsimile signal (*please see the specification, descriptions with respect to Fig. 4, especially the steps 2-3*).

Therefore, for at least the above reasons, independent claims 25 and 33 are distinguishable from Campana. Claims 26, 29, 30, and 34 depend from claim 25, directly or indirectly. Therefore, for at least the reasons stated with respect to claim 25, claims 26, 29, 30, and 34 are also distinguishable from Campana.

Accordingly, Applicant respectfully requests that the rejection of claims 25, 26, 29, 30, 33, and 34, based on Campana, be withdrawn.
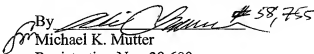
CONCLUSION

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

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Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ali M. Imam Reg. No. 58,755 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: July 29, 2008   Respectfully submitted,

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